

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27441 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

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RAJA DAS @ RAJESH DAS @ RAJESH KUMAR SON OF
SHIVCHANDRA DAS @ SHIV DAS R/O VILLAGE- SIRSIYA, WARD
NO.11, P.S.- N.H. BANGRA, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-07-2023 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Shyam Kumar Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

N.H. Bangra PS Case No. 138/2022 dated 31.10.2022 registered

for the offence punishable under Sections 147, 148, 149, 323,

324, 379, 307, 354, 427 504 and 506 of the IPC.

3. As per prosecution story, altogether twenty named

accused persons and 50-60 unknown persons entered into the

house of the informant and tried to demolish the same and one

Sanjay Das ordered to demolish the house of the informant and

others. It is further stated that the petitioner, Raja Das, allegedly,

assaulted the son of the informant with iron rod causing head



injury to him.

4. Learned counsel for the petitioner submits that altogether twenty named accused persons and 50-60 unknown persons have been made accused on the basis of general and omnibus allegations due to village politics. He further submits that there is a case and counter case and the side of the petitioner has lodged N.H. Bangra PS Case No. 137/2022 which is prior in time to the present FIR. Referring to the impugned order, learned counsel submits that lacerated wound over forehead about 1” x 1 cm x 1 cm has been found and abrasion over right leg on the person of the son of the informant. He also submits that the injury caused to the informant’s son is not serious in nature inasmuch as the nature of injury has not been brought on record by the prosecution.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that there is a case and counter case between the parties, the injury caused to the informant’s son has not been brought on record and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, RAJA DAS @ RAJESH DAS @ RAJESH KUMAR, in the event of arrest or



surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Samastipur in connection with N.H. Bangra PS Case No. 138/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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